**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.23979 of 2005

**09.8.2007**

Between:
A.Pullareddy, S/o.Laxmareddy

…Petitioner

And

The Special Deputy Collector (TW), Paloncha, Khammam District
And another

…Respondents

**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.23979 of 2005

ORDER:

Petitioner is resident of Rajapuram village of Chandrugonda Mandal in Khammam District. He is statedly owner of two different extents of land admeasuring Acs.3.00 and Acs.1.20 gts in survey No.101/Sa/A/1/A (old survey No.101/Sa/Paiki) situated in the Village, which he purchased from Kondapalli Chandramouleswara Rao, about forty years ago. He contends that though the transfer of the land from one tribal to another tribal is prohibited under Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959, as amended by Regulation I of 1970 (the Regulation, for brevity), the Regulation has no application as it came into force with effect from 03.2.1970 and the transaction took place about forty years ago. However it is alleged that the second respondent along with his staff is regularly visiting the land with a view to dispossess the petitioner without following due process of law. In this writ petition, writ of Mandamus is sought restraining the second respondent from interfering with the possession of the petitioner.

The second respondent filed counter affidavit denying petition averments. In paragraph 4 of the counter affidavit, it is contended as under.

> …… it is specifically denied that the 2nd respondent at the instance of the 3rd parties is trying to dispossess him from the present land to an extent of Acs.4.20 guntas. In fact after disposal of the Revision petition by the Government in G.O.Ms.No.4, dated 20.1.2004, the second respondent has conducted a Panchanama with the assistance of the Mandal Revenue Inspector on 18.6.2005 at 11.30 AM and handed over the possession of Acs.9.00 to one Korsa Butchamma,

W/o.Korsa Mutyalu, who is the legal heir of the Korsa Perappa. A copy of the Panchanama report is herewith filed. It is submitted that the 2nd respondent has handed over only Acs.9.00 of land in Sy.No.101. The allegation that the 2nd respondent is interfering with his possession in an extent of Ac.4.20 guntas is specifically denied.

In view of the above averments, this Courts holds that the writ petition is filed on a mere apprehension. The writ petition is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

August 09, 2007
YS